

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND**

ROGER W. TITUS
UNITED STATES DISTRICT JUDGE

6500 CHERRYWOOD LANE
GREENBELT, MARYLAND 20770
301-344-0052

MEMORANDUM

TO: Counsel of Record

FROM: Judge Roger W. Titus

RE: *In re: KBR, Inc., Burn Pit Litigation*
Master Case No. RWT 09md2083

DATE: October 19, 2015

* * * * *

On October 16, 2015, Defendants filed an Emergency Motion for Protective Order [ECF No. 286]. The Court directed Plaintiffs to file a response by October 19, 2015 at 9:00 a.m., which they did [ECF No. 287]. Defendants filed a reply to Plaintiffs' response [EFC No. 289] later that day.

Having reviewed the filings, including the entire transcript of the deposition of Steven L. Arnold [ECF No. 286, Ex. A and ECF No. 287, Ex. A], the Court concludes that no emergency exists. Defendants are not in need of any protection, as Plaintiffs' questions were well within the scope of allowable discovery. Moreover, the Court is concerned about the legitimacy of a number of the objections made by the defense during the deposition. Defendants' Emergency Motion for Protective Order [ECF No. 286] is therefore **DENIED**.

The Court will not at this time revisit the orders governing the ongoing discovery concerning the Balad issue but will, at the hearing on December 4, 2015, entertain argument concerning the sufficiency of discovery on the Balad issue without access to electronically stored information.

Despite the informal nature of this ruling, it shall constitute an Order of the Court, and the Clerk is directed to docket it accordingly.

_____/s/
Roger W. Titus
United States District Judge